

REMARKS

Claims 7-23 are pending in this application. In view of the following remarks, reconsideration and allowance are respectfully requested.

I. Claim Rejection Under 35 U.S.C. §103

Claims 7-23 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,226,507 to Mitamura et al. (hereinafter "Mitamura") in view of WO 01/81661 A1. Applicants respectfully traverse the rejection.

Mitamura is not a proper prior art reference to the present application. Mitamura issued as a U.S. Patent on June 5, 2007. Mitamura is the U.S. National Phase of a PCT application, which PCT application was not published in English. Accordingly, Mitamura is not a proper prior art reference under 35 U.S.C. §102(e). The only possible prior art dates that can be afforded to the Mitamura reference are June 6, 2005, August 10, 2006, and June 5, 2007, the dates on which the respective PCT application, U.S. application, and U.S. Patent were published. However, all of these dates are after the August 13, 2004, effective filing date of the instant application, which is a U.S. National Phase application of PCT/JP2004/011685. Accordingly, Mitamura is not a proper prior art reference against the present claims.

Because Mitamura is not prior art, and because WO 01/81661 cannot support the rejection by itself, the rejection must be withdrawn. Reconsideration and withdrawal of the rejection are respectfully requested.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 7-23 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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WPB:ABF/hms

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